

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN HERNANDEZ,

Defendant.

**4:24CR3008**

**ORDER**

Defendant John Hernandez has moved to continue the pretrial motion deadline, (Filing No. 78), because Defendant and defense counsel need additional time to fully review the discovery and decide whether to enter a guilty plea. The motion to continue is unopposed. Based on the showing set forth in the motion as well as statements made during a phone conference with the Court on May 14, 2024, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 78), is granted.
- 2) Pretrial motions and briefs shall be filed on or before June 12, 2024, as to Defendant Hernandez.
- 3) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and June 12, 2024 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 14<sup>th</sup> day of May, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca  
United States Magistrate Judge